

Message

From: Warren, Nicholas [Warren.Nicholas@usepa.onmicrosoft.com]
Sent: 10/3/2019 2:35:28 PM
To: Hurlid, Kathy [Hurlid.Kathy@epa.gov]
CC: Beck, Whitney [beck.whitney@epa.gov]
Subject: RE: Maryland assumption legislation
Attachments: Federal Section 404 Assumption (NTW-WC-DS Consolidation Bill).06-28-19_10-3 edits.docx

Kathy,

Here are edits that Whitney and I discussed. Just as a side note I generally agree with some of the big picture concerns that R3 has raised, but if you want to talk through anything I added (there wasn't much on top of Stef's work) or anything that you were thinking about that either didn't come up in the meeting or wasn't addressed in my edits please let Whitney and I know so we can all be on the same page moving forward.

Thanks,

Nick

Nicholas Warren
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Office of Water
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Warren.Nicholas@usepa.onmicrosoft.com

From: Hurlid, Kathy <Hurlid.Kathy@epa.gov>
Sent: Wednesday, October 2, 2019 1:02 PM
To: Warren, Nicholas <Warren.Nicholas@usepa.onmicrosoft.com>; Beck, Whitney <beck.whitney@epa.gov>
Subject: Fwd: Maryland assumption legislation

Sent from my iPhone

Begin forwarded message:

From: "Shamet, Stefania" <Shamet.Stefania@epa.gov>
Date: September 26, 2019 at 11:54:44 AM EDT
To: "Hurlid, Kathy" <Hurlid.Kathy@epa.gov>, "Kupchan, Simma" <Kupchan.Simma@epa.gov>
Cc: "Blair, AaronM" <blair.aaronM@epa.gov>, "Lapp, Jeffrey" <lapp.jeffrey@epa.gov>
Subject: FW: Maryland assumption legislation

DELIBERATIVE

Just sending along my initial redline plus a list of issues. This is draft legislation that MDE is proposing to try to get on the 2020 legislative calendar, which means they are working on it now. They have asked for a page turn first (which I will be scheduling, probably in a couple of weeks) followed by written comments.

By way of background, they are trying to merge a Dam Safety/water appropriation program and a nontidal wetlands program. This is a better attempt than their previous attempt. Below are bullets of some issues that we are still trying to think through before we talk with them. I understand Jeff will schedule some time with you next week or so. (Simma – I know you have a ton on your plate – if there's another OGC attorney, let me know.)

Also – note that bracketed material is existing statutory language that MDE proposes to DELETE. All caps and bold is proposed new language. Also – they are proposing to issue GPs to the counties, which I think, if I understood my email exchange with Kathy a couple of weeks ago, is ok.

From: Shamet, Stefania
Sent: Wednesday, September 25, 2019 11:53 AM
To: Lapp, Jeffrey <lapp.jeffrey@epa.gov>
Cc: Field, Stephen <Field.Stephen@epa.gov>
Subject: Maryland assumption legislation

DELIBERATIVE – DO NOT RELEASE

I am attaching a redline. Please note with respect to the underlying document that bracketed material is what MDE proposes to delete and bolded material is what they propose to add. As per my email the other day, I spoke with Jonathan. They are looking for us to set up a call or meeting (I think it can be a call) to do a page turn, and then they would like written comments to help facilitate any changes they need to make.

The following “big picture” issues should be discussed internally before being shared with Maryland. I'd like to forward to Kathy (whom I think is out) and Simma. Please lmk when I may do that.

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Ex. 5 AC/DP

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Stefania D. Shamet

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